

**AFFIDAVIT**

STATE OF WEST VIRGINIA

COUNTY OF CABELL, to-wit:

I, Eric Seth Johnson, being duly sworn, hereby depose and state as follows:

1. I am a Task Force Officer (TFO) with the United States Postal Inspection Service (USPIS) since September 2022. I am presently assigned to the USPIS Charleston, WV domicile, where my responsibilities include the investigation of crimes involving the United States Postal Service (USPS), specifically the investigation of narcotics proceeds and/or controlled substances sent through the U.S. Mail. I have completed the required training by the USPIS relating to my responsibilities as a TFO. In addition to my assignment with USPIS, I am also a Detective with the Metropolitan Drug Enforcement Network Team (MDENT) assigned from the Charleston Police Department where I have been employed since April of 2015. I have been assigned to MDENT since December of 2018. Within this capacity, I have conducted and been part of numerous mid to high level drug investigations and assisted USPIS with various parcel related narcotics investigations. Additionally, I am a canine handler with a certified narcotics canine, Rex. Prior to my employment with the Charleston Police Department, I worked as an Officer with the Ripley Police Department after obtaining my law enforcement certification through the West Virginia State Police Academy in 2013.

2. This affidavit is made in support of an application for a search warrant to search the contents of USPS Priority Mail Package bearing tracking number "9505 5108 3248 3118 8292 40" with a return address of "Andrew Walker 826 9<sup>th</sup> Ave, Huntington, WV, 25701" and a delivery address of "Brett Gervin 1120 N Roxboro St, Anaheim, CA, 92805" (hereinafter referred to as "SUBJECT PARCEL"). The SUBJECT PARCEL is a

USPS Priority Mail Small Flat Rate Box with approximate dimensions of 8.6875"x5.4375"x1.75". The SUBJECT PARCEL was mailed on April 28, 2023, from Huntington, WV 25701 with \$10.20 postage affixed. The SUBJECT PARCEL is currently located at 1000 Centre Way, Charleston, WV 25309.

3. The information contained in this affidavit is based on information I have gained from my investigation, my personal observations, my training and experience, and information related to me by other law enforcement agents and witnesses.

4. Drug trafficking background gained over the years has shown that drug dealers and drug traffickers utilize the USPS for shipping narcotics proceeds and controlled substances, including but not limited to cocaine, heroin, methamphetamine, marijuana, and pharmaceuticals. The use of Priority Mail Express, Priority Mail and First-Class Mail are favored because of the reliability, anonymity, speed (overnight service), minimal cost, and ability to track the mail piece.

5. Through experience gained in drug investigations by Postal Inspectors and other law enforcement agents, and through information provided by individuals who have been involved in buying, selling, and shipping drugs by Priority Mail Express, Priority Mail, and other types of shipments, the USPIS has established a drug profile policy to screen mail packages for narcotics and/or controlled substances. The profile characteristics include peculiarities in labeling and unusual packaging techniques as well as other considerations. The reason that handwritten labels are of interest is that the vast majority of premium mail services such as Priority Mail Express and Priority Mail involves business-to-business or business-to-person correspondence and features typewritten or computer-generated labels. Person-to-person correspondence (and the

handwritten labels attendant thereto) accounts for a very small minority of total Priority Mail Express and Priority Mail traffic.

6. Postal Inspectors, Special Agents of the Drug Enforcement Administration (DEA), and other intelligence sources have identified Arizona, California, Florida, Georgia, Michigan, Oregon, New Jersey, New York, Nevada, and Texas as major source states for illegal drugs flowing into areas within the Southern District of West Virginia.

7. From my experience, training, and knowledge of drug shipments through the U.S. Mail, I am aware that drug traffickers frequently use fictitious names and addresses on the return address portion of the mailing label both to remain anonymous and avoid detection. Some return addresses have been found to be legitimate addresses, but the actual resident at those locations is either fictitious or non-existent. I am also aware that the address of the person that the mail piece is addressed to is generally not fictitious because a valid address is necessary for the package to be delivered. However, at times the true name of the addressee may be altered or ignored in favor of an alias or code name to better disguise their identity from law enforcement.

8. Based upon my knowledge, training, and experience, I know that drug traffickers using the USPS often use unusual packaging techniques. These may include excessive taping or wrapping or by including within the package items having strong odors in an effort to contain or mask the odor of controlled substances in order to avoid detection by trained narcotics dogs.

9. Your affiant knows based on training and experience, as well as consultation with other agents, that U.S. Mail is often used by narcotic traffickers to transport controlled substances, as well as U.S. currency derived from the distribution of controlled substances, either as payment or proceeds. Your affiant knows based on training and

experience that USPS Priority Mail Express and Priority Mail are commonly used to transport controlled substances because narcotic traffickers can track the parcels, and control dispatch times and locations.

### **BACKGROUND OF INVESTIGATION**

10. On April 28, 2023, while reviewing USPS electronic records relating to shipments of parcels from the Southern District of West Virginia to known source states, such as California, Postal Inspectors identified USPS Priority Mail Package bearing tracking number “9505 5108 3248 3118 8292 40” with a return address of “Andrew Walker 826 9<sup>th</sup> Ave, Huntington, WV, 25701” and a delivery address of “Brett Gervin 1120 N Roxboro St, Anaheim, CA, 92805” (SUBJECT PARCEL). Based on his training and experience, your affiant believed the package to be consistent with the size, weight, and mailing characteristics of packages containing narcotics proceeds and/or controlled substances.

11. On May 1, 2023, Postal Inspectors retrieved the SUBJECT PARCEL from the Charleston, WV Processing and Distribution Center (PDC) and noted, among other characteristics that the SUBJECT PARCEL bore handwritten name and address information, a fictitious return address, cash paid postage of \$10.20, and was mailed to California, a known source state for illicit drugs coming into the Southern District of West Virginia.

12. On May 1, 2023, your affiant made inquiries with CLEAR, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name, address, and phone number information, regarding the return address of “Andrew Walker 826 9th Ave, Huntington, WV, 25701”. CLEAR showed this name does not associate at that address. Your affiant then conducted a search of USPS records

regarding the address of 826 9<sup>th</sup> Ave, Huntington, WV 25701. This was determined to be an invalid mailing address. Your affiant also conducted a search regarding the destination address of "Brett Gervin 1120 N Roxboro St, Anaheim, CA, 92805". CLEAR showed this name does associate at that address.

13. Your affiant conducted a search of USFIS law enforcement records of previous seizures relating to both the return and delivery addresses. Your affiant identified five previous seizures with various addressee names destined to 1120 N Roxboro St., Anaheim, CA 92805. The first seizure was on May 5, 2021, of \$14,230 US currency from USPS Priority Mail Express # EJ742266431US. The second seizure was on September 21, 2021, of \$9,750 US currency from USPS Priority Mail Express #EJ977686908US. The third seizure was on March 1, 2022, of \$7,600 US currency from USPS Priority Mail Express #EJ835478190US. The fourth seizure was on March 11, 2022, of \$11,120 US currency from USPS Priority Mail Express #EJ378266914US. The fifth seizure was on June 29, 2022, from USPS Priority Mail #9505513107432166402136 which contained approximately 3,235 grams of suspected marijuana.

14. On May 1, 2023, your affiant provided his trained narcotic detection dog, "Rex". Rex has experience with narcotics investigations including drug parcels and was last certified in April of 2023. The SUBJECT PARCEL was placed in a line-up with four (4) additional boxes of similar shapes and sizes. Rex conducted an exterior examination of all the parcels. Rex positively alerted on the SUBJECT PARCEL indicating the presence of the odor of controlled substances.

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15. Based on the information contained herein, your affiant maintains there is probable cause to believe that the SUBJECT PARCEL - USPS Priority Mail Package bearing tracking number "9505 5108 3248 3118 8292 40" - contains controlled substances, and/or proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b) and 846.

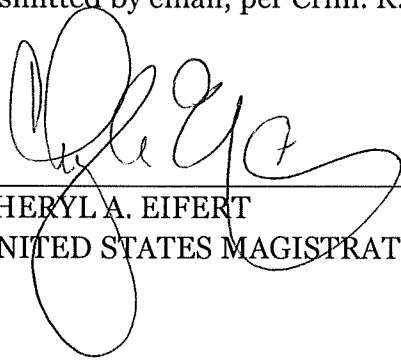
Further your affiant sayeth naught.



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ERIC SETH JOHNSON  
USPIS TASK FORCE OFFICER

On the 2<sup>nd</sup> Day of May 2023, this affidavit was sworn to by the affiant, who did no more than attest to its contents pursuant to Crim. R. 4.1 (b)(2)(A), by telephone after a document was transmitted by email, per Crim. R. 4.1.



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CHERYL A. EIFERT  
UNITED STATES MAGISTRATE JUDGE